

Message

From: Lopez, Peter [lopez.peter@epa.gov]
Sent: 12/1/2017 9:05:24 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
CC: Bennett, Tate [Bennett.Tate@epa.gov]; Bolen, Derrick [bolen.derrick@epa.gov]; Burke, Marcella [burke.marcella@epa.gov]; Cory, Preston (Katherine) [Cory.Preston@epa.gov]; Darwin, Henry [darwin.henry@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov]; Ford, Hayley [ford.hayley@epa.gov]; Greenwalt, Sarah [greenwalt.sarah@epa.gov]; Hupp, Millan [hupp.millan@epa.gov]; Konkus, John [konkus.john@epa.gov]; Lovell, Will (William) [lovell.william@epa.gov]; McMurray, Forrest [mcmurray.forrest@epa.gov]; Munoz, Charles [munoz.charles@epa.gov]; Palich, Christian [palich.christian@epa.gov]; Ringel, Aaron [ringel.aaron@epa.gov]; Rodrick, Christian [rodrick.christian@epa.gov]; Sands, Jeffrey [sands.jeffrey@epa.gov]; Schwab, Justin [Schwab.Justin@epa.gov]; Shimmin, Kaitlyn [shimmin.kaitlyn@epa.gov]; Stepp, Cathy [stepp.cathy@epa.gov]; Baptist, Erik [baptist.erik@epa.gov]; Benevento, Douglas [benevento.douglas@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Chmielewski, Kevin [chmielewski.kevin@epa.gov]; Dravis, Samantha [dravis.samantha@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]; Glenn, Trey [Glenn.Trey@epa.gov]; Greaves, Holly [greaves.holly@epa.gov]; Gulliford, Jim [gulliford.jim@epa.gov]; Harlow, David [harlow.david@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; Servidio, Cosmo [Servidio.Cosmo@epa.gov]; Traylor, Patrick [traylor.patrick@epa.gov]; Wagner, Kenneth [wagner.kenneth@epa.gov]; Yamada, Richard (Yujiro) [yamada.richard@epa.gov]; Wehrum, Bill [Wehrum.Bill@epa.gov]; Bodine, Susan [bodine.susan@epa.gov]; Dourson, Michael [dourson.michael@epa.gov]; ethics [ethics@epa.gov]; Minoli, Kevin [Minoli.Kevin@epa.gov]
Subject: Re: Dear OGC/Ethics -- May I Attend This Holiday Party?

Hi my friend.

Thank you for the sage advice.

Best wishes.

Sincerely,
Pete Lopez
RA-Region 2

Sent from my iPhone

On Dec 1, 2017, at 4:01 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Reminder for Political Appointees
Don't Assume You Can Accept Invitations To Seasonal
Celebrations and Other Receptions
— Always Ask!

Dear EPA political appointees –

I'm writing to remind you about your obligations under the Trump Ethics Pledge that you signed. We know it's that festive time of year when you may be invited to go to holiday receptions and parties, so the EPA ethics elves are sending you this reminder to be careful.

What's a gift?

In your initial ethics briefing, you learned about the gift rules in the Standards of Conduct and the additional restrictions imposed upon you by the Trump Ethics Pledge that you signed when you joined

EPA. As a federal employee, you cannot accept a gift that is offered to you because of your official position or from a prohibited source. "Gift" is defined to include gratuities, favors, discounts, entertainment, hospitality and other items having monetary value. The definition is very broad, and it encompasses free attendance at the kinds of dinners, receptions and other networking events that are common in D.C., particularly during the holiday season.

What's the rule?

You are prohibited from accepting any gift (including invitations to holiday parties) from a federally registered lobbyist. Even if the invitation says that it's a "widely attended gathering" or that it meets the Congressional ethics rules, don't assume you can go. You're an EPA political appointee, so you must get written approval from OGC/Ethics before you go to the event. When you send the invitation to OGC/Ethics, the first thing we will do is determine whether the sponsor of the event is a federally registered lobbyist.

- **Event is sponsored by a federally registered lobbyist**

In this case, the Lobbyist Gift Ban applies. When you signed the pledge, you promised not to accept gifts from federally registered lobbyists. The common exception for a "widely attended gathering" (WAG) does not apply to invitations from and events sponsored by federally registered lobbyists. **YOU CAN NEVER ACCEPT THE GIFT OF FREE ATTENDANCE TO A WAG FROM A FEDERALLY REGISTERED LOBBYIST.**

If the event is sponsored by a federally registered lobbyist, but you really want to attend ... then you will need to work closely with OGC/Ethics to pay personally out of your pocket. It's not enough to say that you'll pay for your drinks and won't eat. The rule is that you can't even go to the event unless you pay personally for the cost per person. So, upon request, OGC/Ethics will contact the sponsor to determine the cost per person that will have to pay, and to whom. We want to help you document your payment so that you can show you have not violated the Trump Ethics Pledge.

- **Event is not sponsored by a federally registered lobbyist**

In this case, OGC/Ethics will determine if the "Widely Attended Gathering" (WAG) exception applies to permit your attendance. The WAG exception allows ethics officials to approve an employee's acceptance of free attendance upon a written determination that your attendance furthers an agency interest. In order for OGC/Ethics to clear your attendance, there must be a large number of people attending the event as well as a diversity of views or interests among those attending. If the offer to attend is from the sponsor of the event, there is no limit on the value of the event. If the offer of free attendance comes from someone other than the sponsor, then the value of the gift (your attendance and your spouse's, if applicable) cannot exceed \$390. Should your ethics official determines that you may accept the gift and attend, you will do so in your personal capacity and not on government time. And you may have to disclose the gift on your OGE-278, depending on its value. OGC/Ethics will let you know whether you have to report the gift when we notify you that it has been approved.

What should you do in each and every case?

Contact OGC/Ethics BEFORE attending. Send an email to ethics@epa.gov and provide us with a copy of the invitation and as much information as you can regarding the event.

Thanks for your attention to ethics issues!
Justina

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